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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Srikar RAO

Confirmation No.: 3965

Application No.: 09/845,643

Art Unit: 3711

Filed: April 30, 2001

Examiner: Steven B. Wong

For: A GOLF BALL MARKER AND HOLDER

Attorney Docket No.: 6202-918

THIRD-PARTY SUBMISSION PURSUANT TO 37 C.F.R. § 1.99Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.99, Acushnet Company submits copies of its U.S. trademark registrations for FJ, Reg. No. 2,697,555, and FOOTJOY, Reg. Nos. 271,260; 1,198,007; and 2,163,931 – trademarks referenced by Mr. Rao in Figures 1 and 2 and paragraph 0012 of the above patent application – for consideration by the U.S. Patent and Trademark Office in its review of Mr. Rao's application. Copies of the records for these registrations from the PTO's Website are attached. Acushnet did not authorize nor does it consent to Mr. Rao's use of Acushnet's registered trademarks in Mr. Rao's patent application.

Acushnet is filing this Submission in the interest of caution should the Supplemental Amendment and Drawing Amendment filed by Mr. Rao's attorneys, Barnes & Thornburg, on October 28, 2003 not reach the Examiner. The Supplemental Amendment deleted the reference to Acushnet's registered trademark in paragraph 0012 of Mr. Rao's application, and the Drawing Amendment deleted the references to Acushnet's registered trademarks in Figures 1 and 2.

CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8(a)

I hereby certify that this paper is being filed with the United States Patent and Trademark Office by facsimile transmission on October 30, 2003 to facsimile telephone number 703-872-9306.


Paul E. Dietze
for: Victor N. BalanciaReg. No. 45,627
Reg. No. 31,231

11/10/2003 LKORBAN 00000002 161150 09845643

Pursuant to 37 C.F.R. § 1.17(p), the fee for this Third Party Submission is estimated to be \$180.00. Please charge the required fees or any additional fees which may be due to Pennie & Edmonds LLP Deposit Account No. 16-1150.

Date: October 30, 2003

Respectfully Submitted,



Paul E. Dietze

Reg. No. 45,627

For: Victor N. Balancia

Reg. No. 31,231

PENNIE & EDMONDS LLP

1667 K Street, N.W.

Washington, D.C. 20006

Phone: (202) 496-4400

Facsimile: (202) 496-4444

Attachments

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the THIRD-PARTY SUBMISSION PURSUANT TO 37 C.F.R. § 1.99 was served upon applicant's attorney, Richard B. Lazarus, Barnes & Thornburg, 11 South Meridian, Indianapolis, Indiana 46204, by first class mail on October 30, 2003.

Nancy H. Lutz

Nancy H. Lutz

Latest Status Info

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Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2003-10-29 11:57:13 ET

Serial Number: 76385928

Registration Number: 2697555

Mark (words only): FJ

Current Status: Registered.

Date of Status: 2003-03-18

Filing Date: 2002-03-21

Registration Date: 2003-03-18

Law Office Assigned: TMEG Law Office 108

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -Warehouse (Newington)

Date In Location: 2003-04-02

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. ACUSHNET COMPANY**Address:****ACUSHNET COMPANY****333 Bridge Street****Fairhaven, MA 02719****United States****Legal Entity Type: Corporation****State or Country of Incorporation: Delaware**

GOODS AND/OR SERVICES

VESTS, JACKETS, PANTS, BELTS, HATS, GOLF SHOES, AND SOCKS**International Class: 025****First Use Date: 1969-03-00****First Use in Commerce Date: 1969-03-00****Basis: 1(a)****GOLF GLOVES****International Class: 028****First Use Date: 1969-03-00****First Use in Commerce Date: 1969-03-00**

<http://tarr.uspto.gov/servlet/tarr?regser=registration&entry=2%2C697%2C555&action=Request+Status>

10/29/2003

Latest Status Info

Page 2 of 2

Basis: 1(a)

ADDITIONAL INFORMATION

Prior Registration Number(s):

1061739
1123327
1748627
2274304

PROSECUTION HISTORY

2003-03-18 - Registered - Principal Register
2002-12-24 - Published for opposition
2002-12-04 - Notice of publication
2002-09-25 - Approved for Pub - Principal Register (Initial exam)
2002-09-11 - Communication received from applicant
2002-09-11 - PAPER RECEIVED
2002-07-24 - Non-final action mailed
2002-07-23 - Case file assigned to examining attorney

CONTACT INFORMATION

Correspondent (Owner)

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Phone Number: (212) 790-9090

Latest Status Info

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2003-10-29 11:58:58 ET

Serial Number: 71288745

Registration Number: 271260

Mark (words only): FOOT-JOY

Current Status: This registration has been renewed.

Date of Status: 1990-07-02

Filing Date: 1929-08-20

Registration Date: 1930-05-27

Law Office Assigned: Unknown

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 - Warehouse (Newington)

Date In Location: 1991-09-30

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. FOOT-JOY, INC.

Address:

FOOT-JOY, INC.

144 FIELD STREET

BROCKTON, MA 02403

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Massachusetts

GOODS AND/OR SERVICES

BOOTS AND SHOES MADE OF LEATHER AND COMBINATIONS OF LEATHER AND FABRIC

U.S. Class: 039 (International Class 025)

First Use Date: 1920-05-00

First Use in Commerce Date: 1920-05-00

Basis: 1(a)

ADDITIONAL INFORMATION

Prior Registration Number(s):

199521

<http://tarr.uspto.gov/servlet/tarr?regser=registration&entry=271260&action=Request+Status>

10/29/2003

PROSECUTION HISTORY

1990-05-27 - Registration renewed - 20 year

1990-05-17 - Section 9 filed/check record for Section 8

1970-05-27 - Registration renewed - 20 year

CONTACT INFORMATION

Correspondent (Owner)

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United States

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This page was generated by the TARR system on 2003-10-29 11:59:23 ET

Serial Number: 73304591

Registration Number: 1198007

Mark (words only): FOOTJOY

Current Status: This registration has been renewed.

Date of Status: 2002-10-10

Filing Date: 1981-04-06

Registration Date: 1982-06-15

Law Office Assigned: TMEO Law Office # 1

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -Warehouse (Newington)

Date In Location: 2002-10-15

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. ACUSHNET COMPANY**Address:**

ACUSHNET COMPANY
333 BRIDGE STREET
FAIRHAVEN, MA 02719
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

DRESS SHOES, CASUAL SHOES, GOLF SHOES, ATHLETIC SHOES, BELTS, SOCKS AND GOLF GLOVES

International Class: 025

First Use Date: 1920-05-00

First Use in Commerce Date: 1920-05-00

Basis: 1(a)

ADDITIONAL INFORMATION

Prior Registration Number(s):

2712600

<http://tarr.uspto.gov/servlet/tarr?regser=registration&entry=1198007&action=Request+Status>

10/29/2003

PROSECUTION HISTORY

2002-10-10 - Registration renewed - 10 year
2002-10-10 - Section 8 (10-year) accepted/ Section 9 granted
2002-08-21 - Section 7 amendment issued
2002-05-31 - Combined Section 8 (10-year)/Section 9 filed
1988-11-04 - Section 8 (6-year) accepted & Section 15 acknowledged
1988-10-24 - Response received for Post Registration action
1988-10-11 - Post Registration action mailed Section 8 & 15
1988-06-09 - Section 8 (6-year) and Section 15 Filed
1982-06-15 - Registered - Principal Register
1982-03-23 - Published for opposition

CONTACT INFORMATION

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Serial Number: 75290602

Registration Number: 2163931

Mark (words only): FOOT-JOY

Current Status: Registered.

Date of Status: 1998-06-09

Filing Date: 1997-05-09

Registration Date: 1998-06-09

Law Office Assigned: LAW OFFICE 108

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 834 -Post Registration

Date In Location: 2003-10-22

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. ACUSHNET COMPANY**Address:**

ACUSHNET COMPANY

333 Bridge Street

Fairhaven, MA 02719

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

articles of clothing, namely, jackets, pullovers, pants, rainwear, socks, gloves, hats and visors

International Class: 025

First Use Date: 1996-08-14

First Use in Commerce Date: 1996-08-14

Basis: 1(a)

ADDITIONAL INFORMATION

Prior Registration Number(s):

271260

<http://tarr.uspto.gov/servlet/tarr?regser=registration&entry=2163931&action=Request+Status>

10/29/2003

Latest Status Info

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1198007
1386051

PROSECUTION HISTORY

2003-09-24 - Section 8 (6-year) and Section 15 Filed
2003-09-24 - Section 7 amendment filed
1998-06-09 - Registered - Principal Register
1998-03-17 - Published for opposition
1998-02-13 - Notice of publication
1998-01-12 - Approved for Pub - Principal Register (Initial exam)
1998-01-09 - Case file assigned to examining attorney

CONTACT INFORMATION

Correspondent (Owner)
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Re: Applicant: Srikar RAO; Appln. No. 09/845,643; Filed: April
30, 2001; for A GOLF BALL MARKER AND HOLDER
Third-Party Submission Pursuant to 37 C.F.R. § 1.99

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